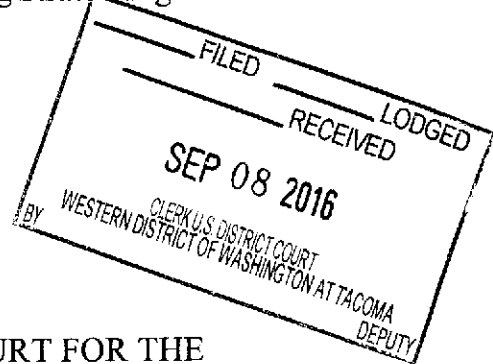


Magistrate Judge Karen L. Strombom



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.
MATTHEW HOLT,
Defendant.

CASE NO. *MJ 16-5165*
COMPLAINT for VIOLATION

Title 18, U.S.C.
Section 922(g)(1)

BEFORE, Karen L. Strombom, United States Magistrate Judge, U. S. Courthouse,
Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(Felon in Possession of Ammunition)

On or about August 16, 2016, at Pierce County within the Western District of
Washington, MATTHEW HOLT, having been convicted, of the following crime
punishable by imprisonment for a term exceeding one year, to wit: Attempting to Elude a
Pursuing Police Vehicle, Pierce County Superior Court, Case Number: 10-1-02358-7, on
or about July 6, 2010; and Robbery in the Second Degree, Pierce County Superior Court,
Case Number: 12-1-01902-1, on or about December 27, 2012, did possess, in or affecting
interstate and foreign commerce, ammunition, to wit, eight (8) rounds of Tulammo .380

1 ACP caliber ammunition, which had been shipped and transported in interstate and
2 foreign commerce.

3 All in violation of Title 18, United States Code, Section 922(g)(1).

4 **The undersigned, Ryan H. Young, complainant being duly sworn states:**

5 1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms
6 and Explosives (ATF). I am assigned to the Seattle, Washington, Field Office. I have
7 been an ATF Special Agent since September 1, 2013. I am responsible for investigating
8 and enforcing violations of federal firearms laws. I graduated from the Criminal
9 Investigator Training Program and the ATF Special Agent Basic Training Program,
10 which are both located at the Federal Law Enforcement Training Center in Glynco,
11 Georgia. I hold a graduate degree in Criminal Justice from the University of Cincinnati.
12 I was previously employed by the United States Forest Service as a uniformed law
13 enforcement officer for three years. I have previous training and experience as a non-
14 commissioned officer Special Agent in Counterintelligence and Chief Warrant Officer
15 Aviator in the United States Army. During my career as an ATF special agent, I have
16 had training and experience investigating violent crimes against persons, financial
17 offenses, and firearms offenses to include possession of firearm by prohibited persons.

18 2. The information contained in this affidavit comes from the investigation
19 into MATTHEW HOLT by ATF and the investigation conducted by members of the
20 Lakewood Police Department with personal knowledge.

21 3. This complaint is submitted for the limited purpose of establishing probable
22 cause that MATTHEW HOLT possessed ammunition in violation of 18 U.S.C.
23 § 922(g)(1). I have not included each and every fact that I know or others have learned
24 during the course of this investigation. I have only included those facts I believe are
25 sufficient to show there is probable cause to support that HOLT unlawfully possessed
26 ammunition in violation of 18 U.S.C. § 922(g)(1).

27 4. On August 16, 2016, Lakewood Police Department Officer Max Criss was
28 conducting routine patrol near the 7000 block of Tacoma Mall Blvd. Officer Criss

1 observed a Chevrolet Malibu bearing Washington license plate: AUTO115, travelling
2 northbound on Tacoma Mall Blvd. The officer recognized the vehicle as a possible
3 stolen out of Lakewood, Washington.

4 5. Upon query of a law enforcement database, Officer Criss discovered that
5 the vehicle was previously reported stolen. Officer Criss followed the stolen vehicle to a
6 Shell Gas Station at 5407 Tacoma Mall Blvd, Tacoma, Washington, and initiated a traffic
7 stop. Officer Criss observed that the vehicle was occupied by multiple subjects at the
8 time.

9 6. Upon the arrival of additional law enforcement units, Officer Criss ordered
10 all occupants of the stolen vehicle to keep their hands in the air. Tacoma Police
11 Department Officer Christopher Burbank, positioned his patrol vehicle to the right of the
12 Lakewood Police vehicle. From his vantage point, Officer Burbank observed that the
13 stolen vehicle was occupied by at least three subjects. The stolen vehicle's driver,
14 Angelica Bryson, was ordered to turn off the engine and get out of the car. Bryson got
15 out of the car, and was taken into custody without incident.

16 7. Officer Criss ordered the front passenger, later identified as the defendant
17 MATTHEW HOLT, multiple times to keep his hands in air. Officer Burbank saw HOLT
18 drop his left hand down toward his left side numerous times. Officer Burbank ordered
19 HOLT to place both of his hands outside of the passenger window. Initially, HOLT
20 complied but then pulled his left hand back into the vehicle.

21 8. HOLT was ordered to get out of the vehicle. As HOLT stepped out of the
22 vehicle and stood up, Officer Burbank observed a black square shaped item fall from his
23 lap onto the ground outside of the vehicle. Both Officers Criss and Burbank heard the
24 sound of an item falling to the ground as HOLT stood up. Officer Burbank described the
25 sound as being consistent with a metallic item striking the concrete from a short drop.
26 HOLT was detained and placed into custody without incident.

27 9. After all vehicle occupants were removed and secured, Officer Burbank
28 observed the black item that he had seen fall from HOLT's lap and recognized it as a

1 handgun magazine holding an unknown number of ammunition rounds. There were no
2 other items lying near the magazine.

3 10. Lakewood Police Officer Jordan Feldman contacted Bryson, and advised
4 her of her Miranda rights. Bryson waived her right to remain silent, and stated that she
5 and the rear passenger, Jesslyn Marks, met with an associate named Shyanna Moffatte at
6 a 7-11 convenience store near McKinley Avenue. Bryson stated that Moffatte gave her
7 the vehicle to drive, and that she and Marks left to pick up HOLT a few blocks away.
8 Bryson stated that she was stopped by law enforcement a short time later.

9 11. Officer Criss contacted Marks, and advised her of her Miranda rights.
10 Marks waived her right to remain silent, and stated she and Bryson got into the Chevrolet
11 Malibu for a ride to the Day Inn Motel in Tacoma. Marks stated that HOLT was already
12 seated in the front passenger seat when the two entered the vehicle.

13 12. Officer Criss then contacted HOLT, and advised him of his Miranda rights.
14 HOLT waived his right to remain silent, and stated that he had no idea that the vehicle he
15 was riding in was stolen. HOLT stated that Bryson picked him up at a Shell Gas Station
16 on Pacific Avenue. When asked about the firearm magazine located next to the stolen
17 vehicle, HOLT stated that the magazine must have fallen out of the door pocket when the
18 door opened, and that he had no knowledge of the magazine.

19 13. The firearm magazine was recovered and found to contain eight (8) rounds
20 of Tulammo .380 ACP caliber ammunition

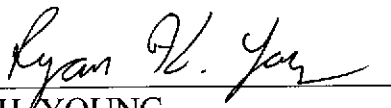
21 14. On August 18, 2016, Special Agent David Roberts of the ATF, a certified
22 Firearms Interstate Nexus Expert, physically examined the eight (8) rounds of Tulammo
23 .380 ACP caliber ammunition. Based on his knowledge and experience as a Firearms
24 Interstate Nexus Expert, he determined the ammunition was not manufactured in the
25 State of Washington, and had to have travelled in interstate or foreign commerce.

26 15. Special Agent David Roberts reviewed copies of Felony Judgment and
27 Sentence documents showing that Matthew HOLT has been convicted for the following
28 crimes punishable by imprisonment for a term exceeding one year:

1 Attempting to Elude a Pursuing Police Vehicle, Pierce County Superior Court,
2 Case Number: 10-1-02358-7, on or about July 6, 2010; and

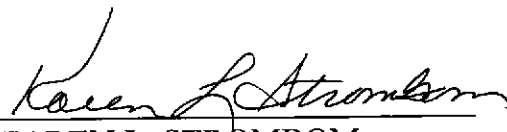
3 Robbery in the Second Degree, Pierce County Superior Court, Case Number: 12-
4 1-01902-1, on or about December 27, 2012.

5 16. Based on the above facts, I respectfully submit that there is probable cause
6 to believe that MATTHEW HOLT did knowingly possess ammunition in violation of
7 Title 18, United States Code, Section 922(g)(1).

8
9 
10 RYAN H. YOUNG,
11 Special Agent
12 Bureau of Alcohol, Tobacco, Firearms,
and Explosives.

13 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
14 presence, the Court hereby finds that there is probable cause to believe the Defendant
15 committed the offense set forth in the Complaint.

16 Dated this 8th day of September, 2016.

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18 
19 KAREN L. STROMBOM
20 United States Magistrate Judge
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